

(15) [Please add new Claim 72 as follows:]

1 72. A telephone call and voice processing system comprising:
 2 switching circuitry for receiving a call, wherein the switching circuitry connects the call
 3 to a telecommunications device coupled to the system;
 4 voice processing circuitry for automatically interacting with the call, wherein the
 5 switching circuitry and the voice processing circuitry are controlled by a single processing
 6 means; and
 7 circuitry for permitting a user of a telephone coupled to the system to monitor a voice
 8 mail message while the message is being recorded into the user's mailbox.

REMARKS

The present application is a continuation of U.S. Application Serial No. 08/873,215. The claims in this continuation application are essentially the same claims that stood rejected in Serial No. 08/873,215, and have hereby been filed for further prosecution on the merits. The following remarks are in response to the rejections of some of these claims made in Paper No. 21 of Serial No. 08/873,215.

I. REJECTION UNDER 35 U.S.C. § 112

In Paper No. 21, the Examiner rejected claims 1-2 and 71 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In response, Applicants respectfully traverse. The Examiner has asserted that it is not clear as to the definite intent of the phrase "controlled by", where the Examiner has asserted that there clearly is control provided by other than the described one microprocessor. This may be true, but the claim is reciting that the signal processing circuitry is controlled by the not more than one microprocessor. The claim, as written

does not preclude control functions being performed by other circuitry, such as the signal processing circuitry, just that the voice processing circuitry and the switching circuitry are controlled by not more than one microprocessor. Disclosing that the signal processing circuitry has some control functionality is not at odds with the claim, and thus the claim is not indefinite.

The Examiner then goes on to state that because there is a DSP, there is control by more than one microprocessor again causing confusion as to what is intended by the phrase "controlled by." In response, again Applicants assert that claim 1 does not preclude other circuitry from providing some type of control functionality, and that this does not result in an inconsistency within the teachings of the present invention, and also does not result in an indefiniteness in the language of claim 1. Furthermore, a DSP is not a microprocessor, contrary to the Examiner's assertion. A microprocessor is the physical realization of the central processing unit of a given computer system on either a single chip of semiconductor or on a small number of chips. Dictionary of Electronics, E.C. Young, second edition, page 349. A digital signal processor is a specialized digital microprocessor that performs calculations on digitized signals that were originally analog (e.g. voice) and then sends the results on. Newton's Telecom Dictionary, Harry Newton, sixteenth edition, page 257. A microprocessor does not operate on analog signals, whereas a DSP does, and therefore it is accepted within the art that a DSP is not the same as a microprocessor.

With respect to claim 2, Applicants have amended claim 2 as requested by the Examiner in Paper No. 21.

II. REJECTIONS UNDER 35 U.S.C. § 102

In Paper No. 21, the Examiner rejected claim 71 under 35 U.S.C. § 102(b) as being anticipated by *Sharma, et al.* (U.S. Patent No. 5,452,289.) In response, Applicants respectfully traverse this rejection. As the Examiner is well aware, for a claim to be anticipated under § 102, each and every element of the claim must be found within the cited prior art reference.

Applicants have added new Claim 69 (which is the same as claims 71) which recites that the switching circuitry connects a call to one of a plurality of telecommunications devices coupled to the system. This capability is not in any way taught or suggested within *Sharma*, since *Sharma* merely provides that a single telecommunications device coupled to codec 305 is connected to an incoming call into telephone line interface 309. Note that the plurality of telecommunications devices 301-304 cannot be referred to as such a plurality recited within Claim 69, since *Sharma* quite clearly states that these are alternative interfaces connected to the codec circuit 305. Column 8, lines 18-24. Thus, *Sharma* teaches that a user may use, in the alternative, any one of the telephone handset 301, the telephone headset 302, or the microphone 303 and speaker 304, but *Sharma* does not teach that there is any switching capability to connect an incoming call to any one of the three.

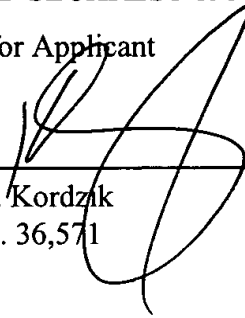
Claims 3, 6, 12-13, 16, 18-20, 24-27, 58-60 and 73 stood rejected under 35 U.S.C. § 102(b) as being anticipated by *Daly, et al.* (U.S. Patent No. 5,274,738) in Paper No. 21. In response, Applicants respectfully traverse that rejection. Claim 1 recites that the switching circuitry receives a call and connects the call to a telecommunications device coupled to the system. The Examiner has asserted that *Daly* teaches such telecommunications devices by items 22a-22b, etc. The Examiner then goes on to further assert that the TDM chip 44 is the same as the digital cross-point matrix. Because of the Examiner's characterization of how *Daly* teaches claim 3, Applicants respectfully assert that it is therefore impossible for *Daly* to teach all of the limitations of claim 3, since a call is not received by TDM chip 44. All that TDM chip 44 does is to receive requests from the telecommunications devices 22a, et al. for voice processing functionality provided within chip 14. Nowhere within *Daly* is it taught or suggested that a call is received by chip 14, and specifically TDM chip 44, and then connected to any one of devices 22a, et al.

Furthermore, TDM chip 44 is not the same as a digital cross-point matrix which is well defined in the art as not being the same as a circuit that performs a time division multiplexing operation, which is what TDM chip 44 does. Time division multiplexing is a technique for

transmitting a number of separate data, voice and/or video signals simultaneously over one communications medium by quickly interleaving a piece of each signal one after another. Newton's Telecom Dictionary, Harry Newton, sixteenth edition, page 863. In contrast, a cross-point switch is an array of cross-points wherein one of N inputs is selectively connected to one of M outputs. See U.S. Patent No. 5,060,192, col. 1, lines 9-11. See also U.S. Patent No. 4,360,809 for another disclosure on a cross-point switch. Therefore, since *Daly* does not teach or suggest such a cross-point switch, *Daly* cannot anticipate any of the rejected claims.

As a result of the foregoing, Applicants respectfully assert that all the claims in the application are allowable.

Respectfully submitted,
WINSTEAD SECHREST & MINICK P.C.
Attorneys for Applicant

By: 
Kelly K. Kordzik
Reg. No. 36,571

100 Congress Avenue
Suite 800
Austin, Texas 78701
(512) 370-2851

::ODMA\PCDOCS\AUSTIN_1\1600802
207:16312-P001C1